



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: MESSERLI *et al.*

Application No.: 09/497,123

Group Art Unit: 3738

Filed: February 3, 2000

Examiner: Brian E. Pellegrino

For: END MEMBER FOR A BONE  
FUSION IMPLANT

Attorney Docket No.: 8932-114

#7  
Amdb B  
D. Bryce  
8/21/01

AMENDMENT

**Box Non-Fee Amendment**

Assistant Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
AUG 20 2001  
TC 3700 MAIL ROOM

Sir:

In response to the Office Action dated May 31, 2001, please enter the following amendments and remarks into the file of the above-identified application:

In the Claims:

✓ Please cancel claims 3, 5, 6, 8, 10-13, 16, 20, 21, and 24, without prejudice.

REMARKS

The Examiner has required election of one of eleven asserted patentably distinct species. In response, Applicants hereby elect, with traverse, Group J (Figure 9). As indicated by the Examiner, independent claim 1 is generic to all species, with at least claims 2, 4, 7, 9, 14, 15, and 17-19 covering the elected species. Claims 3, 5, 6, 8, 10-13, 16, 20, 21, and 24 have been canceled. Applicants expressly reserve the right to file one or more divisional or continuing applications to protect the inventions of the other identified species and other disclosed, but unclaimed, subject matter prior to the issuance of this application, if necessary.